



**CITY OF PONDERAY
REGULAR
MEETING MINUTES
MAY 4th 2020**

MAYOR STEVE GEIGER CALLED THE MEETING TO ORDER AT 6:00 P.M.

PRESENT: MAYOR STEVE GEIGER, COUNCILMEMBER McNEARNEY, COUNCILMEMBER THOMPSON, COUNCILMEMBER MITTON, COUNCILMEMBER OSBORN

ALSO PRESENT: ATTORNEY MARSHALL, CLERK WARREN, CHIEF CORNELIUS, PLANNER BRUBAKER, ENGINEER SHAW

CONFLICTS OF INTEREST AND/OR DISCLOSURES:

Mayor Geiger acknowledged conflict of interest and disclosures statement.

Councilmember Mitton stated for the record that he is the fire chief of Northside Fire Dist. and he has counseled with the City Attorney and he has no conflict of interest for the public hearings tonight. Attorney confirmed.

CONSENT AGENDA:

A. Approve Bills \$6,005.02

B. Acknowledge Treasurer's Report

Motion to approve consent agenda

Councilmember McNearney/Thompson. Roll Call Vote. All voted in favor. Motion approved.

DEPARTMENT REPORTS/UPDATES:

MAYOR: Mayor Geiger is hoping that the June 1st meeting that we can all be back to normal and be here for the meeting and not have to do Zoom anymore. We did send a letter to 104 but we have not received any comment back yet. We will be reopening City Hall as the other Cities and County do tomorrow. There was a memo referring to McNearney Road and the large ditch that went across that road when Lake Pre-Mix went in. We would like to see if we can address that ditch is failing along the side of the road. Planner Brubaker was asked to get ahold of Lake Pre-mix and see if they will fill that in. Also, Who is responsible for maintenance of the storm drain in front of the Animal Shelter but it seems poorly installed, the drain in the center is about a foot lower than the culverts on either side and they have popped out of the ground. Planner Brubaker and Engineer Shaw will look into these. Planner Miller commented that Engineer Shaw went out there and it is on the Animal Hospital property.

CLERK: Clerk Warren said the Bed Tax was mostly in, #104 has been in contact. They received the letter on Friday. They are still behind three months from last year and they haven't paid anything this year. At this point, we are still \$23,333. Short from last year at this time. The sales tax for March was \$192,144.00. Councilmember Osborn asked why on the Treasurers report the Liquor is 509%. Clerk explained that the Liquor income goes to several accounts and the clerk makes journal entries to put it to different accounts after we get enough to split up. So right now all Liquor income is in the admin account. It has not been distributed yet.

POLICE: Motion to approve surplus items

Councilmember Osborne/Thompson. Roll Call Vote. All voted in favor. Motion approved

Chief reported that they are trying to get back to normal. Both new cars are in operation and on the road.

STREET/PUBLIC WORKS: Engineer Justin Shaw reported on striping bids. The low bid was from Selkirk Sealcoat in the amount of \$30,586.13 (thirty thousand, five hundred eighty-Six dollars and thirteen cents). Planner Miller received a phone call from Mountain Metals asking if we could put a crosswalk stripe on the end of Schweitzer Plaza Drive. And maybe some signage to go along with the striping.

Motion to approve Selkirk Sealcoat bid

Councilmember McNearney/Mitton. Roll Call Vote. All voted in favor. Motion approved.

PLANNING, PARKS & COMMUNITY DEVELOPMENT: City Clean up day will be postponed. We can do something in the fall depending on how things progress with the COVID-19.

Neighbor Day will be September 19th, 2020.

Planner Brubaker would like to know from the council how willing they are to support spending some Community Development funds on the Sewer laterals that are failing, when we do the Cedar street project. We are waiting to get a dollar amount from Kootenai Ponderay Sewer Dist. There will be two options 1:the cost for the City to just get the sewer out from under the pavement. 2:to fix the laterals all the way to house if there is a failing lateral. We will be getting the costs and bring to the council.

Public Hearing - File SS20-022 - Proton Park Subdivision-D&T Sley Properties, LLC, Preliminary Plat

Open public hearing at 6:42, rules were read. No conflict of interest.

Planner Miller gave a presentation. Recording not audible. They are requesting to subdivide 1.25 acre parcel into two lots ranging from .52 acres to .73 acres. They received site plan approval with the planning commission on March 11th, 2020. To construct a new facility for Energy Electric on proposed lot one. As well as a future secondary structure on the proposed lot two. Proposed lot 2 is currently developed with a commercial structure which at this time houses the New Age Styling Salon. The property is zoned commercial and is located on the south side of Triangle Drive. Commercial Zone has no minimum lot size. Proposed structures were reviewed for setbacks to the existing and proposed property lines. Each proposed lot has an access and a reciprocal access easement between the two lots. Stormwater Management and Erosion Control Plan were approved by City Engineer. This site met all the standards. Agency review were: Building official stated that a few things needed addressing mostly with the fire code so that fire apparatus would be able to turn around on site. IHD commented regarding handicap parking spaces. It has been addressed in B-3. Avista approved. City Engineer has been satisfied. Police Chief had no comment. KPSD stated it was in their boundaries. There are hookups and capacities associated with the properties. But the landowner would need to complete an application with them to determine whether or not those are sufficient. A-2 condition. Sandpoint water said that the site is currently served by an 8" PVC water main. Staff recommends approval. Any questions from the Planner. Comments from the applicant. Dave Slyster-Energy Electric.

Motion to approve File SS20-022-Proton Park Subdivision

Councilmember Thompson/Osborne. Roll Call Vote. All voted in favor. Motion approved.

Public Hearing - File UP20-058 Alder Creek Townhomes, Crystal Creek, LLC, Special Use Permit

Open public hearing at 6:57, no conflict of interest. Planner Miller gave a presentation. Recording is not audible in the beginning of presentation. Crystal Creek, LLC is requesting Special Use Permit (SUP) approval to develop 32 townhomes on +/- 2.39 acres. The property is located at the corner of Kootenai Cutoff Road and Larkspur Street on Lots 1 and 2, Block 1, Alder Creek Subdivision in Section 11, Township 57 North, Range 2 West, Boise Meridian. The proposal includes construction of four buildings, each including 8, three-bedroom townhome units. Additionally, the proposal includes construction of a new sidewalk extension along Kootenai Cutoff Road as is required by code within the commercial district. The sidewalk will be placed within an existing 40-foot easement along Kootenai Cutoff Rd. Sidewalks were previously constructed along Larkspur Road at the time of subdivision. A 20-foot greenbelt dedication has been proposed along the west boundary of the Lots at the request of staff. This is consistent with the Ponderay Greenbelts

and Pathways plan. No presence of wetlands on this site. 25% Open Space is required, a maximum 25% Greenspace can be required, Townhomes shall not exceed 2 stories. Require dedication prior to building permit issuance, and the applicant has verbally agreed to construction of a SPOT bus pad along Kootenai Cutoff Rd. Structures not exceeding 28' in height or two stories, the required setbacks are as follows, 20-feet from the front, side, and back of the structure to any lot line. The originally submitted site plan complied with all required setbacks. This review was routed to numerous agencies, and the following had responded. Avista recommended approval; Ponderay Police Chief has no objection, feels it would be a great addition, but it is already a congested area and will need to address this. City Engineer agreed with Ponderay Police Chief, and had issues with stormwater features, will need approval prior to development, also stated a bus shelter would be nice; Independent Highway District noted Kootenai Cutoff Rd should not be used for access, could create a hazard, also noted the drive should be 25' for two-way traffic. Sandpoint Water within boundaries, willing and able to provide service to the site. Kootenai-Ponderay Sewer District said it was within their boundaries, will authorize service. Northside Fire District, no sprinkler plan within packets, Planner Miller said sprinkler systems are a part of building plans. No public comment, and no public comment at the Planning & Zoning meeting. Staff recommended approval. Drew Dittman, P.E. with Lake City Engineering, representing Copper Basin Construction had given a presentation. Discussed stormwater, and access points. Feels that one-way movement through the facility would be best. They are willing to dedicate additional right of way on Kootenai Cutoff Road, so the sidewalk will be inside of the public right of way maintained by the City. If dedicated three additional parking spaces would be obtained. Councilmember Mitton complimented the Triangle Drive access, access points, and fire code. No more comment and closed the public hearing at 7:28.

Motion to approve file UP20-058 Alder Creek Townhomes, Crystal Creek, LLC, Special Use Permit Councilmember McNearney/Mitton. Roll Call Vote. All Voted in Favor. Motion Approved.

Public Hearing - File ZC20-018 and SS20-023 Bay Trail Retreat, LLC, Zone Change Request, Residential to Commercial and The Retreat at Bay Trail subdivision.

Public Hearing opened at 7:34, Planner Brubaker presented information from the Staff Report. It is nearly an 18 acre site with one access off of Highway 200. Proposal is a 78-lot subdivision, with 3 lots proposed for Commercial, the rest of the site is proposed for Single Family Residential. Discussed stormwater plans. Applicant has made changes to their proposal and they are the fencing that will run along the North side, addressing stormwater feasibility, review of street light design, addition of a SPOT Bus stop, and backload the western commercial lots with garages or carports so they will not be facing the street. Proceeded with the Applicant presentations. Jake Humble introduced Rick Decker, and Ryan Fobes, P.E.. Provided options and ideas for the 17.7 acres. Their goal is single-family residences, with entry level pricing. Range of houses is a variety of 22 Cottage lots, 40 Standard single-family homes, 3-7 Golf Course homes. Concluded his presentation with the neighborhood highlights. Ryan then presented his technical presentation. Kootenai-Ponderay Sewer District will provide a sewer network that will be a pressure system, Kootenai-Ponderay Sewer District does have the ability to serve this project. City of Sandpoint will provide water service. Water main will connect on the Eastern side of the project. Storm water... a 10" bore was installed under the railroad on the north east corner. They reviewed the Staff Report, and the conditions. His only question was on B-16 final plat shall note that lots 26-35 shall be for residential use, he believes that should read 28-33, where as lot 1,26, and 27 are proposed Commercial use. They did a renumber of the lots, after the first and second Planning Commission meetings. It was concluded that it was all residential-use and struck. This concluded his presentation and asked for questions. Councilmember Thompson questioned condition A-1, when submitting the encroachment permit, have you been in contact with ITD. Yes, they were working with ITD and they have a good understanding of what is needed for that intersection. Councilmember Mitton asked about the access near the railroad, known as Railroad Ave, are there any future plans. He concluded that the sole use for this access point would be for EMS/Fire Services only at this time, and they will meet the fire code requirements through the approval process. Public comment, Is access only right hand in and right hand out, how do residents get to town or where would they turn around? There was discussion about it being a requirement from ITD, and ultimately will be their decision in the end. Mayor advised that we will make sure the traffic functions correctly there and we don't create bigger problems by not having the right improvements at that intersection. No more public comments. The public hearing was closed at 8:18 pm.

Motion to Approve File ZC20-18 and SS20-023 Bay Trail Retreat, LLC, Zone Change Request, Residential & Commercial and The Retreat at Bay Trail Subdivision

Councilmember Osborne/Thompson. Roll Call Vote. All Voted in Favor. Motion Approved.

Ordinances, Resolutions, Proclamations, Contracts:

- A. Resolution 2020-5 Build Grant Authorization & Local Matching Funds** – Susan Drumheller spoke about a need for matching funds for the Build Grant, they have had lots of support from the community. Planner Brubaker presented details of the Resolution. This build grant will support the Highway 200 Preliminary Design and the Underpass Development. Local matching funds needed \$350,000.00.

Motion to Approve Resolution 2020-5 Build Grant Authorization & Local Matching Funds

Councilmember McNearney/Thompson. Roll Call Vote. All Voted in Favor. Motion Approved.

Councilmember Thompson/Osborn.

Meeting adjourned 8:25 p.m.

City Clerk/Treasurer Su Warren-Brown

Mayor Steve Geiger